

**NOTICE OF INTENT**  
**Department of Wildlife and Fisheries**  
**Office of Fisheries**  
**Wildlife and Fisheries Commission**  
**Blue Crab Harvest Regulations (LAC 76:VII.346)**

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:950 et. seq., and through the authority granted in R.S. 56:6(25)(a), that the Wildlife and Fisheries Commission proposes to:

1. Prohibit the commercial harvest of blue crabs and the use of all crab traps during a thirty day period for the years 2017, 2018, and 2019. All crab traps remaining in state waters during the closure period shall be presumed to be engaged in active fishing and thus considered illegal.
2. Restrict the commercial harvest of immature female blue crabs for the years 2017, 2018 and 2019.

**Title 76**  
**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 3. Saltwater Sport and Commercial Fishery**

**§346. Blue Crab Seasonal Closure and Restriction of Immature Female Harvest**

- A. The commercial harvest of blue crabs and the use of all crab traps are prohibited for a thirty day period beginning on the third Monday in February for the years 2017, 2018, and 2019. All crab traps remaining in the waters of the State of Louisiana during the closure period shall be presumed to be engaged in active fishing and thus considered illegal.
- B. There shall be no commercial harvest of immature female blue crabs for the years 2017, 2018 and 2019 except when an immature female is in the premolt stage and is being held for processing as softshell crabs or sold to a

processor for the making of softshell crabs. Obvious signs that such crabs are in the premolt stage shall include the fact that they are no further from molting than having a white line on the back paddle fin, which is recognized by the crab industry as a premolt stage. However, a legally licensed commercial crab fisherman may have in his possession an incidental take of immature female crabs in an amount not to exceed two percent of the total number of crabs in his possession. To determine whether the total number of crabs in possession violates this Subsection, the enforcement agent shall take a random sample of fifty crabs from each crate or group of crabs equivalent to one crate. If more than two percent of the crabs in that fifty crab random sample are immature female crabs, the entire number of crabs in that crate or group of crabs equivalent to one crate shall be considered to be in violation. Crabs in a work box, defined as a standard crab crate as used by a commercial crab fisherman aboard the vessel to sort or cull undersized crabs and/or immature female crabs from the harvest in order to obtain a legal catch, shall not be subject to the immature female restriction while held aboard the vessel and the fisherman is actively fishing. Commercial crab fishermen shall be allowed to have in

possession aboard the vessel, either one work box, if not using a grader, or two work boxes under the grader, if using a grader. An immature female crab, also known as a "maiden" or "V-bottom" crab, can be identified as having a triangular shaped apron on her abdomen. A mature female crab can be identified as having a dome shaped apron on her abdomen.

C. Violation of any provision of this Section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25) (a), 56:8, 56:32, 56:56(A) (5), 56:320(B) (3), 56:326(A) (2), 56:315, 56:332(E) (1) and 56:355.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR ##:###.

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and final rule, including but not limited to, the filing of the Fiscal and Economic Impact statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

### **Family Impact Statement**

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

### **Poverty Impact Statement**

The proposed rulemaking will have no impact on poverty as described in R.S.49:973.

### **Provider Impact Statement**

This Rule has no known impact on providers as described in HCR 170 of 2014.

### **Public Comments**

Interested persons may submit written comments relative to the proposed Rule to Mr. Jeff Marx, Marine Fisheries Biologist DCL-B, Marine Fisheries Section, 2415 Darnall Rd., New Iberia, LA 70560, or via email to [jmarx@wlf.la.gov](mailto:jmarx@wlf.la.gov) prior to September 1, 2016.

Bart R. Yakupzack

Chairman